

CIRCULAR

DATE May 2, 1991

**PROCESSING PUBLIC INQUIRIES UNDER THE FREEDOM OF INFORMATION
AND PRIVACY ACTS**

- 1. PURPOSE AND SCOPE.** This circular contains the Bureau of Engraving and Printing's policy and procedures for processing inquiries submitted pursuant either to the Freedom of Information Act (FOIA) (Title 5, U.S.C., Section 552) or the Privacy Act (PA) (Title 5, U.S.C., Section 552a) as amended. The provisions of this directive apply to all Bureau of Engraving and Printing (BEP) components involved in processing FOIA/PA requests.
- 2. POLICY.** It is the policy of the Bureau to make available to the public, upon request, official documents or extracts thereof in accordance with both the FOIA and PA and applicable Department of the Treasury regulations found at 31 C.F.R., Part I.
- 3. SUPERSESSION.** This circular supersedes Procedure Issuance No. PI 80-4 (Revised) "Processing Public Inquiries under the Freedom of Information Act," dated, May 11, 1982.
- 4. RESPONSIBILITY.** The Director shall designate a Bureau Disclosure Officer who will be the Director's agent and have responsibility for administering both FOIA and PA programs, implementing approved procedures, and preparing related reports.
- 5. PROCEDURES.**

 - a. All requests for information received pursuant to either the FOIA or PA shall be referred to the Bureau Disclosure Officer. The request must be made in writing and signed by the person making the request. Unless otherwise officially authorized to do so, no Bureau employee other than the Disclosure Officer may release information or copies of documents, records, and reports of the Bureau, in whole or in part, under the provisions of the Freedom of Information and Privacy Acts.
 - b. The Disclosure Officer will make the initial determination of what information is properly releasable under the FOIA and/or PA. In making this determination, the Disclosure Officer may consult with the Bureau's Office of the Chief Counsel.
 - c. The Bureau Disclosure Officer is responsible for the following activities:

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(1) Logging in all FOIA/PA requests in the automated FOIA Tracking System and maintaining a separate record of all Freedom of Information and Privacy Act requests. Information recorded shall include:

- (a) date received;
- (b) due date;
- (c) originator;
- (d) subject;
- (e) exemptions imposed; and
- (f) disposition of the request. (See Exhibit A.)

(2) Determining whether or not to honor requests in whole or in part.

(3) Preparing appropriate transmittal documents/memoranda (See Exhibits B, C, and D) and routing inquiries requesting information of technical nature to the appropriate office for research. When received, the office will assign the request for processing with special instructions for the recording of search and review time, to be used by the Disclosure Officer for billing purposes. Upon receipt of the draft response, the Disclosure Officer shall answer the inquiry.

(4) Ensure that requests are honored within 20 workdays or initiate proper notice of denial or delay in responding to the requestor.

(5) Compile data to prepare and transmit the annual FOIA/PA reports to the Departmental Disclosure Office.

(6) Designate a Bureau FOIA/PA Coordinator to assist the Disclosure Officer in all matters relating to the administration of the provisions of this circular.

(7) Perform all other duties required by the Freedom of Information/Privacy Acts, Departmental FOIA/PA directives, and Bureau FOIA/PA directives.

d. When a determination has been made to honor the request, a copy of the record or an extract will be provided as requested. If the requesting individual asks to inspect the record in person, the record will be made available in a designated area, once the record has been reviewed and any appropriate deletions made. When it is not possible to bring the record to the individual, an escort will be provided and will remain with the individual until completion of the inspection.

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e. Each Office Chief shall:

(1) Be responsible or designate a FOIA/PA contact person for that office who will be responsible for collecting, reviewing, and preparing documents within that office, providing a written draft response and the relevant documents to the Bureau Disclosure Officer or the FOIA/PA Coordinator. If the information or documents requested are nonexistent, or if they cannot be provided, or cannot be located, the office contact person shall immediately inform the Disclosure Officer or FOIA/PA Coordinator.

(2) Notify the Disclosure Officer of the name of the office FOIA/PA contact person.

f. When the final response is prepared, it will be routed to the appropriate Office Chief(s), Assistant/Associate Director(s) and/or the Chief Counsel for review.

6. INDEX OF INFORMATION. Listed below are the categories of information which may be examined, copied, or reproduced for response to public inquiries:

- a. Circulars
- b. Notices
- c. Bulletins
- d. Manuals and Operating Manuals
- e. General Rules, Regulations and Handbooks
- f. Production Orders
- g. Work Orders
- h. Schedules of Deliveries Made
- i. Production Reports
- k. Plate Usage Records
- l. Product Cost Statements
- m. Financial Statements with Respect to Bureau Operations
- n. Expenditure and Receipt Statements
- o. Invitations to Bid
- p. Purchase Orders
- q. General Operating Records

(Note: The categories of records listed have been published solely for the convenience of users, and their inclusion in this index should not be construed as a determination that specific records are releasable. The Bureau has the right to invoke the exemptions listed in 5 U.S.C. 552(b) in appropriate instances.)

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7. FEE SCHEDULE.

a. When Charged. The following schedule of fees shall be charged for materials and/or services furnished in response to requests for information received from the general public. This also includes the Bureau's search, review, and copying costs for preparing documents for inspection in those cases when the requestor has not requested copies of the documents. This schedule is in accordance with the Departmental fee schedule and will be revised when the Departmental fee schedule is revised. Finally, when fees are expected to be charged (e.g., no fee waiver is granted), the requestor must agree in advance to pay fees before the Bureau processes the request.

(1) Photocopies. Fifteen (15) cents per copy (maximum size 8 1/2" x 14"), except that no charge shall be imposed for copying 10 pages or less.

(2) Photoprints. An amount equal to actual processing costs based on labor, material and overhead expenses.

(3) Manual Records Search and Review. Actual salary rates of the person making the search and review, based on grade and step 5 (as an average) for each hour or fraction thereof.

(4) Automated Records Search.

(a) Actual computer cost.

(b) Actual salary rates per hour, as under manual records search, for actual personnel time expended on the search.

(c) Supplies/duplication.

When it is anticipated that the fees will exceed \$250 and the requestor has not indicated in advance their willingness to pay fees as high as are anticipated, the requestor may be required to provide a written agreement to pay such fees or may be required to pay such fees in advance of receiving the requested records.

b. Waiver of Fees. Pursuant to Treasury Regulations, the Bureau may waive the fee for services under the following conditions:

(1) When services performed primarily benefit the public as opposed to the requestor, such as for newsworthy purposes or for publication in a national magazine.

(2) When the collection of the aggregate fee is not considered to be in the public interest, such as when the cost of collection exceeds the fee to be paid. Because the Bureau's cost of collection is \$15, no charge is made for \$15 or less.

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(3) When records cannot be located or have been destroyed, or if it is determined after search that information is exempt from disclosure. However, if the time expended in processing the request is substantial, and if the requestor has been notified of the estimated cost and has specifically been advised that it cannot be determined in advance whether any records will be made available, fees should be charged.

8. CASH RECEIPTS. Payment shall be sent to the Disclosure Officer in the form of company or personal check, or money order, made payable to the Bureau of Engraving and Printing. All such receipts shall be recorded and hand-carried to the Accounting Division, Office of Financial Management, accompanied by a completed Form 8643-1, "Report of Collection." (See Exhibit E.) The FOIA Coordinator will be responsible for maintaining copies of all cash receipts and BEP Forms 8643-1, and for following upon amounts due BEP.

9. RECORDS AND REPORTS. The Bureau Disclosure Officer is responsible for the preparation of all correspondence, the maintenance of separate, secure files, the preparation of all reports required by established Departmental and Bureau procedures and by the provisions of the Freedom of Information and the Privacy Acts, and the periodic review and preparation of information indexes for publication in the Federal Register.

10. APPEALS OF DENIALS. When information has been denied for cause as determined at the Disclosure Officer level, appeal of such denial may be made by the requestor within 35 days of the date of the notice of denial. Such appeals must be in writing and addressed to: The Director, Bureau of Engraving and Printing, 14th and C Streets, S.W., Washington, DC 20228.

11. RETENTION PERIOD. Pursuant to General Records Schedule 14, FOIA/PA files will be retained for six years after date of reply. The records of the FOIA/PA cases that were appealed will also be retained for six years after final determination.

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12. OFFICE OF PRIMARY RESPONSIBILITY. Management Advisory Services
Division, Office of Management Services.

<SIGNED>

Peter H. Daly
Director

DISTRIBUTION "C"

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EXHIBIT A

LIST OF FOIA REQUESTS AS OF 91/03/15

<u>FOIA NUM</u>	<u>DATE RECEIVED</u>	<u>DUE DATE</u>	<u>EXT DATE</u>	<u>ORIGINATOR</u>	<u>NATURE</u>	<u>EXMPNUM</u>	<u>FEE</u>	<u>DATE PAY</u>	<u>DATE MAIL</u>
31001	91/01/03	91/01/17		John O. Citizen	FY 1990 Performance Rating Input f		\$0.00		91/01/11
31002	91/01/15	91/01/30		Mary S. Jones	Offset/Intaglio Stamp Paper for th.....		\$71.93	91/02/12	91/01/25
31003	91/01/15	91/01/30		Martin R. Smith	Personnel Security File Data		\$0.00		91/01/28
31004	91/01/22	91/02/05		Joe B. Printer	Released PASS History Reports on M.....		\$0.00		91/02/06
31005	91/01/25	91/02/08		David R. Cox	IRM Plan		\$0.00		91/01/31
31006	91/01/25	91/02/09		Albert P. Dickerson	Ft. Worth Site Preparation		\$0.00		91/01/31
31007	91/01/26	91/02/06		Robert McGregor	Employees Issued Credit Cards		\$0.00		91/01/31
31008	91/02/06	91/02/20		Eric P. Hansen	All Docs. from BEP-89-200(TN)		\$0.00		91/02/14
31009	91/02/06	91/02/20		H. B. Tremaine	Sol. #TEP-91-06(N)		\$0.00		91/02/14
31010	91/02/07	91/02/21		Verna R. Nosey	Files and Records Pertaining to th		\$0.00		91/02/20
31011	91/02/25	91/03/11		S. E. Business	Personnel Security File Data		\$0.00		91/03/05
31012	91/02/24	91/03/12		Elaine T. Reston	Reduction In Force Information		\$0.00		91/02/28
31013	91/03/06	91/03/26		Joan M. Herndon	Web Press Contract, Ink Contract f		\$0.00		
31014	91/03/07	91/03/21		Betty S. Huffey	Postage Stamp Adhesive Toxicity		\$0.00		
31015	91/03/11	91/03/25		I. M. Nosey	Contract No. BEF-88-22		\$24.23		91/03/15

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EXHIBIT B

UNITED STATES GOVERNMENT

MemorandumDEPARTMENT OF THE TREASURY
BUREAU OF ENGRAVING AND PRINTING

TO: Thomas W. Gilbert, Chief
Office of Personnel

FROM: Lawrence F. Zenker, Acting Chief
Office of Management Services

SUBJECT: Review FOIA/PA Request

DATE: April 1, 1991
ID: 4444M

1. Received for review FOIA 91-020 _____
Date

2. I understand Jim (287-0204) will arrange for pickup of the material by COB April 8, 1991.

Signature

- - - - -

To: Jim Braun, MASD, OMS

From: _____

1. Freedom of Information/Privacy Act returned

Date

To: _____

From: Jim Braun, MASD, OMS

1. FOIA/PA Request

Received _____
Date

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EXHIBIT C

UNITED STATES GOVERNMENT

MemorandumDEPARTMENT OF THE TREASURY
BUREAU OF ENGRAVING AND PRINTING

TO: Thomas W. Gilbert, Chief
Office of Personnel

FROM: Lawrence F. Zenker, Acting Chief
Office of Management Services

DATE: April 1, 1991
ID:4444M

SUBJECT: Freedom of Information/Privacy Act Request

We have received a Freedom of Information Act (FOIA) request. We would like you to review the attached material which includes a copy of the request and a certification letter.

In determining whether you have any records responsive to this request, remember that pursuant to FOIA we are not obliged to create records to respond to a request. We are only required to provide information which is already in existence in either an automated system or manual record file. If you have any questions about this request, give me a call on 447-0851.

The Act requires that we respond to the requester within 10 working days from date of receipt. Accordingly, we would appreciate your office responding to us within five (5) working days of receipt of this material to allow us sufficient time for internal coordination and administrative processing of this request.

Attachments

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EXHIBIT D

BUREAU OF ENGRAVING AND PRINTING
FREEDOM OF INFORMATION/PRIVACY ACT
REQUEST FOR INFORMATION AND CERTIFICATION OF RESPONSE

I. BACKGROUND DATA

Date Received: April 1, 1991
Date Response Needed: April 8, 1991

BEP Number: FOIA 91-020
Treasury Number: N/A

Requester (Name and Address):
John Q. Citizen
123 Long Road
Anyplace, MD 19999

Nature of Request:
Copy of all files pertaining to
the requestor.
(See attached F.O.I.A. Request)

II. OFFICE/PERSON RESPONSIBLE FOR PROVIDING INFORMATION FOR BEP RESPONSE

Thomas W. Gilbert, Chief
Office of Personnel

Note: Please call Jim Braun at 287-0204 for pick-up of your information by the requested response date (listed above).

III. CERTIFICATION AS TO INFORMATION PROVIDED FOR BEP RESPONSE

The attached is an FOIA/(PA) request, filed under 5 U.S.C. 552, (5 U.S.C. 552a). You are to provide all material maintained in your file relative to the above-captioned request within five (5) business days upon receipt of this request. Upon completion of your search, please indicate (X) the appropriate statement, sign and return to the Office of Management Services, Room 321-09A.

1. _____ This certifies that records are on file and the documents requested are enclosed
2. _____ This certifies that records are on file; however, we are unable to provide you with copies in the time frame you requested. We shall furnish you with the required information by:_____.
3. _____ We have reviewed the files maintained in this office, and certify that no information subject to this FOIA is available.

Signed:_____ Date:_____

Title: (Chief)_____

IV. EFFORT REQUIRED TO FURNISH REQUESTED INFORMATION

Search Hours_____ Grade Level_____

Review Hours_____ Grade Level_____

Number of Copies _____

EXHIBIT E

[illegible]